

IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF PENNSYLVANIA

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|--------------------------|---|-----------------|
| UNITED STATES OF AMERICA | : | CRIMINAL ACTION |
| | : | No. 12-418-1 |
| v. | : | |
| | : | CIVIL ACTION |
| ROBERT LAMAR WHITFIELD | : | No. 16-3173 |

ORDER

AND NOW, this 16th day of November, 2020, upon consideration of Defendant Robert Lamar Whitfield's Motion to Vacate, Set Aside, or Correct a Sentence By a Person in Federal Custody Pursuant to 28 U.S.C. § 2255, Whitfield's Amended Motion to Vacate, the government's response in opposition to Whitfield's Amended Motion, Whitfield's reply in support of his Amended Motion, Whitfield's Motion to Supplement his Motion to Vacate, and the government's response in opposition to Whitfield's Motion to Supplement, and for the reasons set forth in the accompanying Memorandum, it is ORDERED:

- Pursuant to Whitfield's request, his original Motion to Vacate (Document 574) is DISMISSED as MOOT and replaced by his Amended Motion (Document 688);¹
- Whitfield's Motion to Supplement (Document 736) is GRANTED insofar as the Court has considered Exhibit A to that Motion (Document 736-2) as an addition to Whitfield's Amended Motion to Vacate;
- Whitfield's Amended Motion to Vacate (Documents 688 and 736-2) is DENIED;
- A certificate of appealability shall not issue; and

¹ In Whitfield's Amended Motion, he stated that his original Motion to Vacate "raised only one claim that Petitioner now wishes to abandon." Mem. in Sup. Of Mot. to Amend at 2 (Document 686-1).

- The Clerk of Court is DIRECTED to mark the above-captioned civil case CLOSED.

BY THE COURT:

/s/ Juan R. Sánchez
Juan R. Sánchez, C.J.